



**Minutes for Meeting of
Thursday, July 22, 2004**

Item-1: Call to Order

Chairwoman Dorothy Smith called the meeting to order at 5:00 p.m.

Item-2: Roll Call

Present – Chairwoman Dorothy Smith, Vice Chairwoman Dorothy Leonard, Commissioners Charles H. Dick, Jr., April Riel, who entered after Item 9, Karen Thomas-Stefano, Gregory Vega and Larry S. Westfall.

Staff – Executive Director Stacey Fulhorst, Deputy City Attorney Dave James, Legal Assistant Steve Ross, Senior Investigator Lauri Davis, and Executive Secretary Janet MacFarlane.

Item-3: Reporting Results of Closed Session

Chairwoman Smith reported the results of the Closed Session meeting of June 24, 2004.

Item I: Conference with Legal Council (3 Potential Matters)

Case Nos. 2004-20 in re: Alleged Failure to File Statement of Economic Interest

Motion: Dismiss
Moved/Seconded: Leonard/Dick
Vote: Unanimous
Excused: Vega

Case No. 2004-03 - in re: Alleged Failure to Disqualify on Municipal Decision Affecting Economic Interest and Misuse of City Position or Resource

Status report. No action.

Case No. 2004-15 – In re: Alleged Incompatible Activities and Misuse of City Position

Status report. No action.

Item-4: Approval of Commission Minutes

APPROVAL OF COMMISSION MINUTES OF JUNE 25, 2004.

Motion: Approve

Moved/Seconded: Dick/Stefano

Vote: Unanimous

Abstained: Vega

Excused: Riel

Item-5: Non-Agenda Public Comment

Mel Shapiro asked for clarification on the term “at the behest of” as it relates to campaign financing laws .

Item-6: Commissioner Comment

Chairwoman Smith reported that the proposed ECCO amendments were presented at the Rules Committee meeting of July 21, 2004, and would be scheduled for Council consideration on August 2, 2004.

Item-7: Executive Director Comment

None .

Item-8: Deputy City Attorney Comment

None.

Item-9: Proposed Amendments to Ethics Commission Conflict of Interest Code.

Executive Director Fulhorst explained that every two years the City Clerk’s office updates and forwards to the City Council for action, all changes to the conflict of interest codes. The proposed changes to the Commission’s code would add the Ethics Commission Financial Investigator as well as the anticipated Ethics Commission Attorney under Disclosure Category 1 .

Motion: Approve amendment
Moved/Seconded: Leonard/Westfall
Vote: Unanimous
Excused: Riel

Item-10: Proposed Revisions to the Election Campaign Control Ordinance (ECCO)

Executive Director Fulhorst reported on the results of the Rules Committee action on the proposed ECCO amendments. She explained that the Rules Committee asked for the Commission's recommendation regarding a proposal to lift or adjust contribution limits for a candidate with an opponent who spends a large amount of personal wealth on a campaign.

By consensus, the Commission did not endorse such a proposal at this time.

Item-11: Adjournment to Closed Session

Chairwoman Dorothy Smith adjourned the meeting to Closed Session at approximately 5:35 p.m. She stated if the Commission took any action that must be reported pursuant to the Brown Act, the Commission would reconvene into Open Session to report on that action.

Reconvene to Open Session

The Commission reconvened to Open Session at approximately 6:40 p.m.

Chairwoman reported the following:

1. The Commission approved a Stipulation, Decision and Order with Aida Mancillas in final Settlement of Case No. 2004-27 concerning the failure to timely file a Statement of Economic Interests. Copies of the Stipulation are available to the public.
2. The Commission ordered a Probable Cause Hearing and authorized the issuance of a Probable Cause Report and Draft Administrative Complaint in Case No. 2004-18, regarding Charles Ambers, Jr. and the alleged failure to file a Statement of Economic Interests.

Adjournment

The meeting adjourned at approximately 6:45 p.m.

Dorothy L. Smith, Chairwoman
Ethics Commission

Janet MacFarlane, Executive Secretary
Ethics Commission

THIS INFORMATION WILL BE MADE AVAILABLE IN ALTERNATIVE FORMATS UPON REQUEST.